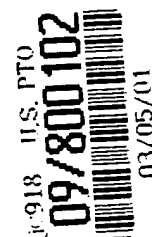


#4

ATTORNEY'S DOCKET NO: C0441/7174  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Dube et al.  
Serial No:  
Filed: Herewith  
For: METHOD AND APPARATUS FOR TESTING THE  
RESPONSIVENESS OF A NETWORK DEVICE



Commissioner for Patents  
Washington, D.C. 20231

STATEMENT FILED PURSUANT TO THE DUTY OF  
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed before the mailing date of a first Office Action on the merits in the above-identified case. No fee or certification is required.

PART II: Information Cited

- A. ☐ The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.
- B. ☐ The Applicant hereby makes the following additional information of record in the above-identified application. [NOTE - Must provide a copy of any pending U.S. application, even if it was previously submitted to the U.S. Patent Office in an earlier application, unless the earlier application is identified by the IDS and is relied upon for an earlier filing date under 35 U.S.C. §120, and the copy was provided in the earlier application.]

PART III: Explanation of Non-English Language References and Remarks Concerning Other Information Cited

The following is a concise explanation of the relevance of each non-English language reference listed on the attached form PTO-1449 (modified):

The following are remarks concerning the other information cited:

PART IV: Remarks

A copy of each of the above-identified information is enclosed unless otherwise indicated on the attached form PTO-1449 (modified). It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.


By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,

By:   
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600 Atlantic Avenue  
Boston, MA 02210  
Telephone (617) 720-3500

Docket No. C0441/7174  
Dated: March 5, 2001

<b>FORM PTO-1449/A and B (Modified)</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>		APPLICATION NO.:		ATTY. DOCKET NO.: C044/7174	
		FILING DATE: Herewith			
		APPLICANT: Dube et al.			
		GROUP ART UNIT:		EXAMINER:	
Sheet		of			

U.S. PTO  
 09/800102  
 03/05/01

**U.S. PATENT DOCUMENTS**

Examiner's Initials#	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or of issue of Cited Document MM-DD-YYY
		Number	Kind Code		
		*5,649,108		Speigel et al.	July 1997
		*5,235,599		Nishimura et al.	August 1993
		*5,247,620		Fukuzawa et al.	September 1993
		*5,321,813		McMillen et al.	June 1994

**FOREIGN PATENT DOCUMENTS**

Examiner's Initials#	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document (not necessary)	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/ Country	Number	Kind Code			

**OTHER ART — NON PATENT LITERATURE DOCUMENTS**

Examiner's Initials#	Cite No	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)	

EXAMINER	DATE CONSIDERED
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#EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

\*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. 08/596,064, filed February 6, 1996, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).

[NOTE - Must provide a copy of any patent, publication, other information listed, even if it was previously submitted to, or cited by, the U.S. Patent Office in an earlier application, unless the earlier application is identified by the IDS and is relied upon for an earlier filing date under 35 U.S.C. §120, and the copy was provided in the earlier application.]

FORM PTO-1449(Modified)  LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	ATTY. DOCKET NO. <u>C0441/7174</u>	SERIAL NO.
	APPLICANT <u>Craig Dube et al.</u>	
	FILING DATE <u>Herewith</u>	GROUP

**U.S. PATENT DOCUMENTS**

Exam Init	Ref Des	Document No.	Date	Name	Class	Sub Class	FIGURE If Appropriate
	*	5,448,724	09/05/95	Havashi	395	182.02	

**FOREIGN PATENT DOCUMENTS**

	Country & Doc. No. (11)	Pub. Date (43)		Class	Sub Class	Translation Yes No
	* WO 93/10495 A	05/27/93	Cabletron Systems, Inc.			

**OTHER ART**

(Including Author, Title, Date, Pertinent Pages, Publication, Etc.)

	*	Hideki Sakauchi et al., "A Self-Healing Network With an Economical Spare-Channel Assignment", <i>Globecom '90, IEEE Global Telecommunications Conference &amp; Exhibition</i> , Vol. 1 of 3, 2-5, December 1990, pp. 438-443.
	*	A. Bouloutas et al., "Clustering Schemes for Network Management", <i>IEEE Infocom '91</i> , Vol. 1, 7-11, April 1991, pp. 111-120
	*	Young-pa So et al., "Distributed Big Brother", <i>Proceedings of the 8th Conference on Artificial Intelligence for Applications</i> , 2-6 March, 1992, pp. 295-301
	*	Ryozi Kishimoto, "Distributed Cooperative Multiagent Model for Intelligent Telecommunication Network", <i>Electronics &amp; Communications in Japan, Part 1 - Communications</i> , Vol. 74, No. 12, December 1, 1992, pp. 24-37

\* a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. 08/596,064, filed February 6, 1996, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).

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Include copy of this form with next communication to applicant.

# **Notice of References Cited**

Application No.

Applicant

Dube et al.

Examiner

Group Art Unit

## **U.S. PATENT DOCUMENTS**

	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS
A	* 5,630,184	May 1997	Roper et al.	395	200.1
B	* 5,603,029	Feb 1997	Aman et al.	395	675
C	* 5,592,611	Jan 1997	Midgely et al.	395	182.02
D	* 5,590,277	Dec 1996	Fuchs et al.	395	183.14
E	* 5,583,860	Dec 1996	Iwakawa et al.	370	232
F	* 5,581,689	Dec 1996	Slominski et al.	395	182.02
G	* 5,559,955	Sep 1996	Dev et al.	395	182.02
H	* 5,513,345	Apr 1996	Sato et al.	395	182.02
I	* 5,473,599	Dec 1995	Li et al.	395	182.02
J	* 5,448,723	Sep 1995	Rowett	395	180
K	* 5,430,729	Jul 1995	Rahnema	395	200
L	* 5,408,649	Apr 1995	Beshears et al.	395	182.02
M	* 5,408,618	Apr 1995	Aho et al.	395	284

## **FOREIGN PATENT DOCUMENTS**

	DOCUMENT NO.	DATE	COUNTRY	NAME	CLASS	SUBCLASS
N						
O						
P						
Q						
R						
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## **NON-PATENT DOCUMENTS**

	DOCUMENT (Including Author, Title, Source, and Pertinent Pages)	DATE
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W		
X		

U.S. PTO  
09/800102  
03/05/01

<b>Notice of References Cited</b>			Application No.		Applicant <b>Dube et al.</b>	
			Examiner		Group Art Unit	

U.S. PATENT DOCUMENTS					
	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS
A	* 5,283,783	Feb 1994	Nguyen et al.	395	182.02
B	* 5,187,706	Feb 1993	Frankel et al.	395	182.02
C	* 5,065,399	Nov 1991	Hasegawa et al.	395	182.02
D	* 4,872,165	Oct 1989	Mori et al.	395	182.02
E	* 4,868,818	Sep 1989	Madan et al.	395	182.02
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FOREIGN PATENT DOCUMENTS						
	DOCUMENT NO.	DATE	COUNTRY	NAME	CLASS	SUBCLASS
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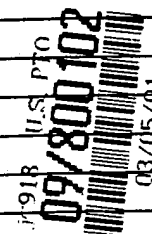


FORM PTO-1449(Modified)	ATTY. DOCKET NO. <u>00441/7174</u>	SERIAL NO.
	APPLICANT <u>Dube et al.</u>	
	FILING DATE	GROUP

LIST OF PATENTS AND PUBLICATIONS FOR  
APPLICANT'S INFORMATION DISCLOSURE  
STATEMENT

U.S. PATENT DOCUMENTS

Exam Init	Ref Des	Document No.	Date	Name	Class	Sub Class	FILING DATE If Appropriate
	*	4,251,858	2/81	Cambique et al.	395	200x	
	*	4,545,011	10/85	Lyon et al.	364	200	
	*	4,695,946	9/87	Andreasen et al.	395	575	
	*	4,701,845	10/87	Andreasen et al.	395	575	
	*	4,827,411	5/89	Arrowood et al.	364	300	
	*	4,833,592	5/89	Yamanaka	364	188x	
	*	4,858,152	8/89	Estes	364	550	
	*	5,008,853	4/91	Bly et al.	364	900	
	*	5,038,318	8/91	Roseman	395	375	
	*	5,049,873	9/91	Robins et al.	340	825.06	
	*	5,226,120	7/93	Brown et al.	395	200	
	*	5,436,909	7/95	Dev et al.	371	20.1	



FOREIGN PATENT DOCUMENTS

	Country & Doc. No. (11)	Pub. Date (43)		Class	Sub Class	Translation Yes No

OTHER ART

(Including Author, Title, Date, Pertinent Pages, Publication, Etc.)

- \* Steven L. Fulton et al., "An Introduction To Model-Based Reasoning," AI Expert, Jan. 1990, pp. 48-55
- \* Rodger Knaus, "A Portable Inference Engine," AI Expert, Jan. 1990, pp. 17-20
- \* R.S. Gilbert et al., "CNMGRAF - Graphic Presentation Serv. for Network Mgmt.," Proc. 9th Data Comm. Symp., 10-13 Sept. 1985, pp. 199-206
- \* D. Bursky, "Simulator Eases Communication Network Design," Electronic Design, Vol. 37, No. 21, 12 October 1989, pp. 97-98, 100
- \* R. Cantone et al., "Model-Based Probabilistic Reasoning For Electronics Troubleshooting," Proc. 8th International Joint Conference on AI, Aug. 8-12, 1983, pp. 207-211
- \* W. Hseush et al., "A Network Architecture For Reliable Distributed Computing," Proc 1987 Symp. On Simulation Of Computer Networks, pp. 11-22
- \* E. Jones et al., "Monitoring And Analysis Strategies For Digital Networks," IEEE J. On Selected Areas In Communications, Vol. 6, No. 4, May 1988, pp. 715-721
- \* M. Sutter et al., "Designing Expert Systems For Real-Time Diagnosis Of Self-Correcting Networks," IEEE Network Magazine, Sept. 1988, pp. 43-51

- \*L. Feldkhun et al., "Event Management As A Common Functional Area Of Open Systems Management," Integrated Network Management, I. Meandzija, B. et al. (Eds.) 1989, pp. 365-376
- \*K. Scott, "Taking Care Of Business With SNMP," Data Communications, March 21, 1990, pp. 31-41
- \*R. Presuhn, "Considering CMIP," Data Communications, March 21, 1990, pp. 55-60
- \*Cabletron Systems, Inc. Trade Literature, "SPECTRUM And DLM, Distributed LAN Monitor (DLM)," October 7, 1993

a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. 08/596,064, filed February 6, 1996, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).

EXAMINER	DATE CONSIDERED
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